

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BOARD OF TRUSTEES, SHEET METAL)
WORKERS' NATIONAL PENSION FUND,)

Plaintiff,)

v.)

Civil Action No. 1:20-cv-1592

AERODYNAMICS INSPECTING COMPANY,)
et al.,)

Defendants.)

ORDER

On July 14, 2021, United States Magistrate Judge Ivan D. Davis entered a Report and Recommendation (the "Report") in this case, recommending that default judgment be entered in favor of Plaintiff Board of Trustees of the Sheet Metal Workers' National Pension Fund and against Defendants Aerodynamics Inspecting Company and Aerodynamics Inspecting, LLC.

Upon consideration of the record and Judge Davis' Report, to which no objections have been filed, and having found no clear error,¹

The Court **ADOPTS**, as its own, the findings of fact and recommendations of the United States Magistrate Judge, as set forth in the Report (Dkt. 22).

Accordingly,

It is hereby **ORDERED** that plaintiff's motion for default judgment (Dkt. 17) is

¹ See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence of any objections to a magistrate's report, the court "need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'").

GRANTED.

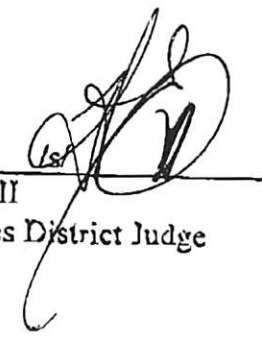
It is further **ORDERED** that **DEFAULT JUDGMENT** be entered in favor of Plaintiff and against Defendant on Counts 1 and 2 of the Complaint.

It is further **ORDERED** that default judgment is entered in favor of Plaintiff Board of Trustees of the Sheet Metal Workers' National Pension Fund and against Defendants Aerodynamics Inspecting Company and Aerodynamics Inspecting LLC, jointly and severally, in an amount of \$316,417.30, which consists of (i) \$221,075.56 in withdrawal liability assessment; (ii) \$38,654.63 in interest assessed a compounded daily rate of .0205% from October 1, 2018 to April 9, 2021; (iii) \$44,215.11 in liquidated damages; and (iv) \$12,472.00 in attorney's fees and costs.

The Clerk of the Court is directed to enter Rule 58 judgment in favor of Plaintiff Board of Trustees of the Sheet Metal Workers' National Pension Fund and against Defendants Aerodynamics Inspecting Company and Aerodynamics Inspecting LLC, jointly and severally, in the amount of \$316,417.30, which consists of (i) \$221,075.56 in withdrawal liability assessment; (ii) \$38,654.63 in interest assessed a compounded daily rate of .0205% from October 1, 2018 to April 9, 2021; (iii) \$44,215.11 in liquidated damages; and (iv) \$12,472.00 in attorney's fees and costs.

The Clerk is further directed to provide a copy of this Order to all counsel of record, to Defendants' last known addresses of record, and to place this matter among the ended causes.

Alexandria, Virginia
September 13, 2021



T. S. Ellis, III
United States District Judge